

Proposed Changes to Current CRA/IAU Complaint Procedures

Frequently Used Acronyms

CRA: Civilian Police Review Authority

IAU: Internal Affairs Unit

ADCR: Assistant Director of Civil Rights Department

CPCOB: Civilian Police Conduct Oversight Board

Complaint Intake

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|---|---|-----------------------------------|---|
| In-Person, 311, Email, Writing | In-Person, 311, Email, Writing | No Change | No Change |
| Citizen Chooses to file with IAU or CRA | Citizen Chooses to file with IAU or CRA (172.190) | Section omitted from the proposal | ADCR will receive all external complaints. Complainant has choice to have CPCOB or IAU investigate the Complaint. |

Case Assignment

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|--|--|--|---|
| IAU Commander assigns cases based on complaint content, investigator workload, investigator experience and expertise, and investigator schedule (training, vacation, etc.) | Because CRA has 2 investigators, each investigator receives every other complaint. | Complaints will be assigned to investigators based on workload, expertise, experience, and schedules. This will be done jointly by the IAU Commander and Assistant Director (CRA). | Appropriate number increase of investigators for CPCOB based on number of sworn officers. Because the Complainant may choose to file either with CPCOB or IAU, ADCR assigns cases filed with CPCOB to CPCOB investigators. IAU will utilize its own methods for assignment. |

Coaching Level Complaints

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|--|--|--|--|
| <p>Low level complaints, also known as “A” level complaints, are sent to the precinct for investigation and immediate processing.</p> <p>Start to finish time=1 week to 1 month.</p> | <p>City ordinance does not allow for complaints to be sent to the precinct without the permission of the complainant. These cases must go through the entire formal investigative and determination process.</p> <p>Generally, start to finish time=6 months to 3 years.</p> <p>Priority complaints=3 – 6 months</p> | <p>Complaints that would be considered low level policy violations will be sent to the precinct for immediate investigation and processing.</p> <p>Start to finish time=1 week to 1 month.</p> | <p>ADCR may recommend the complaint be given to the precinct supervisor. If so, the CPCOB chair must approve the decision and can override the ADCR’s decision. Complainant may appeal the decision to the ADCR and Chair of CPCOB. Chair of CPCOB may move complaint from Precinct Supervisor to investigation.</p> <p>Time for completion not addressed.</p> |

Investigation Report/Summary

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|---|--|--|---|
| <p>Investigation is completed using a standardized case summary that includes</p> <ul style="list-style-type: none">- Complaint summary- Case investigation- Case summary- Potential policy violations | <p>Investigation is completed using a standardized case summary that includes</p> <ul style="list-style-type: none">- Determination of facts- Assessment of credibility | <p>The investigation will be completed using a standardized case summary that remains neutral and mandates that the review panel and Chief make their own recommendation or determination.</p> | <p>CPCOB Investigator will issue findings as to merits of complaint and make a recommendation of “has merit” or “is not established as having merit.”</p> |

Final Review and Approval

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|--|---|---|--|
| The IAU commander reviews the final case report and file for approval before it is sent forward. | The Assistant Director (CRA) reviews the final case report and file for approval before it is sent forward. | The IAU commander and Assistant Director (CRA) will review the final case report and file for approval before it is sent forward. There must be joint approval before the case can proceed. | For CPCOB complaints, ADCR will sign off on investigator's recommendations. Investigation will be sent to the Complaint Committee. |

Review of Case

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|---|--|---|--|
| <p>Mid level violations (“B” and “C” level) are sent to the Precinct for review by the Precinct commander and 2 supervisors. This panel makes a recommendation to the chief as to the outcome.</p> <p>The most serious violations (“D” level”) are handled by a panel of deputy chiefs.</p> | <p>All violations (“A”-”D” level) are sent to a panel comprised of 3 CRA board members. The board members make a recommendation to the Chief as to the outcome of the case.</p> <p>*reflects change in state law</p> | <p>All cases (“B”-”D” level) will be handled by a 4 person review panel comprised of 2 civilians and 2 MPD supervisors. This panel will make a recommendation to the Chief as to the outcome of the case.</p> | <p>For CPCOB complaints, 3 CPCOB members and 1 MPD non-voting advisor will conduct a hearing for the purpose of making a recommendation to the chief of “has merit” or “is not established as having merit.” The 3 CPCOB members will make a discipline recommendation based on a discipline matrix. (CONTINUED ON NEXT SLIDE)</p> |

Review of Case

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-------------|-------------|------------------|--|
| | | | After the 3 CPCOB panel makes a determination, ADCR will review for appropriateness and may pass recommendations for discipline/magnitude to the Chief. If the ADCR disagrees with recommendation, the Complaint will be forwarded to full CPCOB. Full CPCOB will uphold, remand, or forward the determination to chief. (CONTINUED ON NEXT SLIDE) |

Review of Case

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-------------|-------------|------------------|---|
| | | | Complainant may appeal any recommendation made by the complaint committee to the CPCOB Chair and ADCR. Chair may dismiss the appeal, order another committee review, or submit to full CPCOB board for review. (CONTINUED ON NEXT SLIDE) |

Chief's Determination

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|---|--|---|---|
| Chief reviews panel recommendation and makes their final determination. | Chief reviews panel recommendation and makes their final determination. *reflects change in state law | Chief reviews panel recommendation and makes their final determination. | For CPCOB complaints, Chief will make a decision on the “has merits” recommendation for discipline. Decision with specifics will be sent to the ADCR and Chair of the CPCOB. (CONTINUED ON NEXT SLIDE) |

Chief's Determination Continued

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-------------|-------------|------------------|---|
| | | | ADCR and Chair of CPCOB will determine if Chief discipline matched the violation. If appropriate, case will be closed. If not matching the act (per discipline matrix), the Complaint will move back to the full CPCOB for review. (CONTINUED ON NEXT SLIDE) |

Chief's Determination Continued

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-------------|-------------|------------------|---|
| | | | <p>By a 2/3 vote, the board may submit non disciplined or under disciplined “merits founded” complaints back to the Chief with appeal for further reexamination. Chief may order additional discipline and report it to the ADCR and CPCOB Chair. If the ADCR and CPCOB Chair agree with the Chief's decision, the case is closed.</p> <p>(CONTINUED ON NEXT SLIDE)</p> |

Chief's determination

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-------------|-------------|------------------|---|
| | | | <p>If the CPCOB Chair and ADCR disagree with the Chief's decision after review, the complaint is forwarded to the Mayor for review. Mayor may review and instruct the Chief to either discipline or change proposed discipline. The mayor may send a non disciplinary or no discipline charge with reasons to the ADCR, CPOCB, and members of the Public Safety, Civil Rights & Health Committee.</p> |

Notification

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|---|---|---|---|
| Once the case is finalized, including all discipline, the complainant and officers are notified of the final outcome. | Once the case is finalized, including all discipline, the complainant and officers are notified of the final outcome. | Once the case is finalized, including all discipline, the complainant and officers are notified of the final outcome. | Complainant informed throughout the process so s/he may appeal decisions. |

Firewall

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-----------------|---|-------------------|------------------------------|
| Not applicable. | Firewall that prevents the sharing of information between CRA investigators and the Department of Civil Rights investigations unit. | Firewall omitted. | Retain the current firewall. |

Public Policy Committee

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-----------------|---|--|---|
| Not applicable. | Duties are already assigned to CRA Board. | CPCOB will have two boards, the hearing panel previously described and a public policy panel charged with outreach, data analysis/statistics, cultural awareness training for MPD officers, development of rules governing CPCOB affairs, and review of MPD training and procedures. | Creation of a CPCOB committee to implement the following duties: -Research and study for the purpose of ascertaining the effectiveness of civilian police review in Minneapolis -Review of MPD policies and procedures (CONTINUED ON NEXT SLIDE) |

Public Policy Committee

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|-------------|-------------|------------------|--|
| | | | <ul style="list-style-type: none">-Development in conjunction with MPD comprehensive cultural awareness training for MPD officers-Creating and implementing a community outreach program. |

Subpoena Power Request

| Current IAU | Current CRA | CRA/IAU Proposal | CRA Board Proposal |
|----------------|----------------|------------------|---|
| Not applicable | Not applicable | Not addressed | Creation of an administrative subpoena power via statute. The statute would grant administrative subpoena power expressly allowing an agency commissioner or director to delegate the power to issue subpoenas. |